

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ANDREW COPELAND and LEILA
COPELAND, husband and wife, and the marital
community composed thereof,

Plaintiffs,

v.

MARYLAND CASUALTY COMPANY, a
foreign corporation,

Defendant.

CASE NO. C04-1725RSM

ORDER ON MOTION TO EXTEND
DISCOVERY

This matter is before the Court on plaintiffs' motion to extend the discovery period by ninety days. Plaintiff asserts that an extension is necessary because they only learned in discovery that the insurance policy at issue in this case was actually issued by Assurance Company of America, a wholly-owned subsidiary of defendant Maryland Casualty Company. Defendant opposes an extension, pointing out that (1) the claim report acknowledgment sent by the Zurich group on December 19, 2001, clearly designated "Assurance" as the insuring company on the second page; and (2) the claims file provided in defendant's initial disclosures on October 21, 2004, contains the relevant insurance policy, issued by Assurance Company of America. Declaration of Jacquelyn Beatty, Exhibit 5, 8 (this latter exhibit is also provided by plaintiffs as exhibit 7 to their reply). As to the December 2001, claim report acknowledgment, plaintiffs apparently claim that the single word "Assurance" as the insuring company did not adequately put them on notice as to the Assurance Company of America. Even if the Court were

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1 to credit that argument, however, plaintiffs have failed to address defendant's showing that plaintiffs
2 knew of the policy issued by the Assurance Company of America on October 21, 2004, at the latest.

3 As to plaintiffs' contention that their expert needs additional time for discovery, they have not
4 provided any explanation as to why their expert was engaged at such a late date. Their earlier motion for
5 an extension of time to produce their expert reports did not allege any basis therefore, and was only
6 granted because it was unopposed. Dkt. # 25.

7 Accordingly, plaintiffs' motion for an extension of the discovery period is DENIED.

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9 DATED this 8th day of June, 2005.

10 /s/ Ricardo S. Martinez
11 RICARDO S. MARTINEZ
United States District Judge
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